

ber 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5389. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Uniform Compliance Date for Food Regulations [Docket No. 96N-0094] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5390. A letter from the Director, Regulations Policy and Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Premarket Notification for a New Dietary Ingredient [Docket No. 96N-0232] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5391. A letter from the Acting Administrator, Health Resources and Service Administration, transmitting the Administration's final rule—Grants for Residency Training and Advanced Education in the General Practice of Dentistry (RIN: 0906-AA47) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5392. A letter from the Administrator, General Services Administration, transmitting the Administration's strategic plan covering the years 1998 through 2002, pursuant to Public Law 103-62; to the Committee on Government Reform and Oversight.

5393. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Central Regulatory Area of the Gulf of Alaska [Docket No. 961126334-7052-02; I.D. 092997A] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5394. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Changes [Docket No. 961227373-6373-01; I.D. 092597A] received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5395. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Mitsubishi Heavy Industries, Ltd., MU-2B Series Airplanes (Federal Aviation Administration) [Docket No. 97-CE-94-AD; Amendment 39-10150; AD 97-20-14] (RIN: 2120-AA64) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5396. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Helicopter Systems Model MD-900 Helicopters (Federal Aviation Administration) [Docket No. 96-SW-30-AD; Amendment 39-10149; AD 97-20-12] (RIN: 2120-AA64) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5397. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29022; Amendment No. 1823] (RIN: 2120-AA65) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5398. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29024; Amendment

No. 1825] (RIN: 2120-AA65) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5399. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments (Federal Aviation Administration) [Docket No. 29023; Amdt. No. 1824] (RIN: 2120-AA65) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5400. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Thunder on the Lake Powerboat Races, Sunset Lake, Wildwood Crest, New Jersey (Coast Guard) [CGD 05-97-074] (RIN: 2115-AE46) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5401. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Red River, Louisiana (Coast Guard) [CGD8-97-037] (RIN: 2115-AE47) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5402. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Zone Regulations; Interstate 5 Bridge Repair Project, Columbia River, Vancouver, WA (Coast Guard) [CGD13-97-023] (RIN: 2115-AA97) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5403. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Loan Guaranty: Requirements for Interest Rate Reduction Refinancing Loans (RIN: 2900-AI92) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5404. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—General Revision of Regulations Relating to Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons and Related Collection, Refunds, and Credits; Revision of Information Reporting and Backup Withholding Regulations; and Removal of Regulations Under Part 35a and of Certain Regulations Under Income Tax Treaties [TD 8734] (RIN: 1545-AU43; 1545-AT77) received October 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5405. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Last-in, first-out inventories [Rev. Rul. 97-43] received October 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5406. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Time for Filing Form 4720 Return [TD 8736] (RIN: 1545-AU66) received October 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5407. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Certain Payments Made Pursuant to a Securities Lending Transaction [TD 8735] (RIN: 1545-AP71) received October 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5408. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Treaty-Based Return Positions [TD 8733] (RIN: 1545-AP35) re-

ceived October 7, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### ¶114.8 PRIVATE CALENDAR

The SPEAKER pro tempore, Mr. NEY, directed the Private Calendar to be called.

When,

#### ¶114.9 BILLS PASSED

The bills of the following titles were severally considered, read twice, ordered to be engrossed and read a third time, were severally read a third time by title, and passed:

H.R. 998. A bill for the relief of Lloyd B. Gamble.

H.R. 1313. A bill for the relief of Nancy B. Wilson.

The bill of the following title was considered, read twice; the amendment following was agreed to, and the bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed:

H.R. 1211. A bill for the relief of Global Exploration and Development Corporation, Kerr-McGee Corporation, and Kerr-McGee Chemical Corporation.

Amendment offered by the Committee on the Judiciary:

Strike out all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SATISFACTION OF CLAIMS AGAINST THE UNITED STATES.

(a) PAYMENT OF CLAIMS.—The Secretary of the Treasury shall pay, out of money not otherwise appropriated—

(1) to the Global Exploration and Development Corporation, a Florida corporation incorporated in Delaware, \$9,500,000;

(2) to Kerr-McGee Corporation, an Oklahoma corporation incorporated in Delaware, \$10,000,000; and

(3) to Kerr-McGee Chemical Corporation, an Oklahoma corporation incorporated in Delaware, \$0.

(b) CONDITION OF PAYMENT.—(1) The payment authorized by subsection (a)(1) is in settlement and compromise of all claims of Global Exploration and Development Corporation, as described in the recommendations of the Court of Federal Claims set forth in 36 Fed. Cl. 776.

(2) The payments authorized by subsections (a)(2) and (a)(3) are in settlement and compromise of all claims of Kerr-McGee Corporation and Kerr-McGee Chemical Corporation, as described in the recommendations of the Court of Federal Claims set forth in 36 Fed. Cl. 776.

#### SEC. 2. LIMITATION ON FEES.

No more than 15 percent of the sums authorized to be paid by section 1 shall be paid to or received by any agent or attorney for services rendered in connection with the recovery of such sums. Any person violating this section shall be fined not more than \$1,000.

Motions severally made to reconsider the votes whereby each bill in the Private Calendar was disposed of today were, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

#### ¶114.10 DRUG AND BIOLOGICAL PRODUCTS MODERNIZATION

Mr. BLILEY moved to suspend the rules and pass the bill (H.R. 1411) to amend the Federal Food, Drug, and

Cosmetic Act and the Public Health Service Act to facilitate the development and approval of new drugs and biological products, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. NEY, recognized Mr. BLILEY and Mr. DINGELL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. NEY, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to facilitate the development and approval of new drugs and biological products, and for other purposes."

On motion of Mr. BLILEY, by unanimous consent, the bill of the Senate (S. 830) to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the regulation of food, drugs, devices, and biological products, and for other purposes.

When said bill was considered and read twice.

Mr. BLILEY submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 1411, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title of the bill was amended so as to read: "An Act to amend the Antiquities Act regarding the establishment by the President of certain national monuments."

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

By unanimous consent, H.R. 1411, a similar House bill, was laid on the table.

#### ¶114.11 THE ANTIQUITIES ACT

The SPEAKER pro tempore, Mr. QUINN, pursuant to House Resolution 256 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1127) to amend the Antiquities Act to require an Act of Congress and the concurrence of the Governor and State legislature for the establishment by the President of national monuments in excess of 5,000 acres.

Mr. SNOWBARGER, Chairman of the Committee of the Whole, resumed the chair;

#### ¶114.12 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. VENTO:

Page 3, line 14, strike "unless and until" and insert "until 1 year after".

Page 3, beginning on line 16, insert a period after "Congress" and strike all that follows through the period on line 18 and insert in lieu thereof: "During the period of review, Federal lands within the proclamation area are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the mining laws, and from disposition under all mineral and geothermal leasing laws."

It was decided in the { Yeas ..... 201  
negative ..... Nays ..... 224

#### ¶114.13

[Roll No. 493]

AYES—201

Abercrombie	Gutierrez	Morella
Ackerman	Hall (OH)	Nadler
Allen	Hamilton	Neal
Andrews	Harman	Obey
Baldacci	Hastings (FL)	Olver
Barcia	Hefner	Owens
Barrett (WI)	Hinchey	Pallone
Becerra	Hinojosa	Pascarell
Bentsen	Hooley	Pastor
Berman	Houghton	Payne
Blagojevich	Hoyer	Pelosi
Blumenauer	Jackson (IL)	Pomeroy
Bonior	Jackson-Lee	Porter
Borski	(TX)	Poshard
Boucher	Jefferson	Price (NC)
Brown (CA)	John	Rahall
Brown (FL)	Johnson (CT)	Ramstad
Brown (OH)	Johnson (WI)	Rangel
Capps	Johnson, E. B.	Reyes
Cardin	Kanjorski	Rivers
Carson	Kaptur	Rodriguez
Castle	Kelly	Roemer
Clay	Kennedy (MA)	Rothman
Clement	Kennedy (RI)	Roukema
Clyburn	Kennelly	Roybal-Allard
Conyers	Kildee	Rush
Costello	Kilpatrick	Sabo
Coyne	Kind (WI)	Sanchez
Cramer	King (NY)	Sanders
Cummings	Kleczka	Sandlin
Davis (FL)	Kucinich	Sawyer
Davis (IL)	Lampson	Saxton
Davis (VA)	Lantos	Schumer
DeFazio	Lazio	Scott
DeGette	Leach	Serrano
Delahunt	Levin	Shays
DeLauro	Lewis (GA)	Sherman
Dellums	Lipinski	Skaggs
Deutsch	LoBiondo	Skelton
Dicks	Lofgren	Slaughter
Dingell	Lowe	Smith (NJ)
Dixon	Luther	Smith, Adam
Doggett	Maloney (CT)	Snyder
Dooley	Maloney (NY)	Spratt
Engel	Manton	Stabenow
English	Markey	Stark
Eshoo	Martinez	Stokes
Etheridge	Mascara	Strickland
Evans	Matsui	Stupak
Farr	McCarthy (MO)	Tanner
Fattah	McCarthy (NY)	Tauscher
Fawell	McDermott	Taylor (MS)
Fazio	McGovern	Thurman
Filner	McHale	Tierney
Flake	McIntyre	Torres
Foglietta	McKinney	Towns
Forbes	McNulty	Velazquez
Ford	Meehan	Vento
Fox	Meek	Visclosky
Frank (MA)	Menendez	Waters
Franks (NJ)	Millender-McDonald	Watt (NC)
Frost	Miller (CA)	Waxman
Furse	Minge	Wexler
Gejdenson	Mink	Wise
Gephardt	Moakley	Woolsey
Gilman	Mollohan	Wynn
Gordon	Moran (VA)	Yates
Green		

NOES—224

Aderholt	Armey	Baessler
Archer	Bachus	Baker

Ballenger	Gillmor	Paul
Barr	Goode	Paxon
Barrett (NE)	Goodlatte	Pease
Bartlett	Goodling	Peterson (MN)
Barton	Goss	Peterson (PA)
Bass	Graham	Petri
Bateman	Granger	Pickering
Bereuter	Greenwood	Pickett
Berry	Gutknecht	Pitts
Bilbray	Hall (TX)	Pombo
Bilirakis	Hansen	Portman
Bishop	Hastert	Pryce (OH)
Bliley	Hastings (WA)	Quinn
Blunt	Hayworth	Radanovich
Boehlert	Hefley	Redmond
Boehner	Herger	Regula
Bonilla	Hill	Riggs
Bono	Hilleary	Riley
Boswell	Hobson	Rogan
Boyd	Hoekstra	Rogers
Brady	Holden	Rohrabacher
Bryant	Horn	Ros-Lehtinen
Bunning	Hostettler	Royce
Burr	Hulshof	Ryun
Burton	Hunter	Salmon
Buyer	Hutchinson	Sanford
Callahan	Hyde	Scarborough
Calvert	Inglis	Schaefer, Dan
Camp	Istook	Schaffer, Bob
Campbell	Jenkins	Sensenbrenner
Canady	Johnson, Sam	Sessions
Cannon	Jones	Shadeegg
Chabot	Kasich	Shaw
Chambliss	Kim	Shimkus
Chenoweth	Kingston	Shuster
Christensen	Klink	Sisisky
Coble	Klug	Skeen
Coburn	Knollenberg	Smith (MI)
Collins	Kolbe	Smith (OR)
Combest	LaHood	Smith (TX)
Condit	Largent	Smith, Linda
Cook	Latham	Snowbarger
Cooksey	LaTourette	Solomon
Cox	Lewis (KY)	Souder
Crane	Linder	Spence
Crapo	Livingston	Stearns
Cubin	Lucas	Stenholm
Cunningham	Manzullo	Stump
Danner	McCollum	Sununu
Deal	McCrery	Talent
DeLay	McDade	Tauzin
Diaz-Balart	McHugh	Taylor (NC)
Dickey	McInnis	Thomas
Doolittle	McIntosh	Thornberry
Doyle	McKeon	Thune
Dreier	Metcalfe	Tiahrt
Duncan	Mica	Traficant
Dunn	Miller (FL)	Turner
Edwards	Moran (KS)	Upton
Ehlers	Murtha	Walsh
Ehrlich	Myrick	Wamp
Emerson	Nethercutt	Watkins
Ensign	Neumann	Watts (OK)
Everett	Ney	Weldon (FL)
Ewing	Northup	Weldon (PA)
Foley	Norwood	Weller
Fowler	Nussle	White
Frelinghuysen	Oberstar	Whitfield
Galleghy	Ortiz	Wicker
Ganske	Oxley	Wolf
Gekas	Packard	Young (AK)
Gibbons	Pappas	Young (FL)
Gilchrest	Parker	

NOT VOTING—8

Clayton	LaFalce	Thompson
Gonzalez	Lewis (CA)	Weygand
Hilliard	Schiff	

So the amendment was not agreed to.

#### ¶114.14 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. HANSEN:

Strike all after the enacting clause and insert:

##### SECTION 1. SHORT TITLE

This Act may be cited as the "National Monument Fairness Act of 1997".

##### SEC. 2. CONGRESSIONAL REVIEW OF NATIONAL MONUMENT STATUS AND CONSULTATION.

Section 2 of the Act of June 8, 1906, commonly referred to as the "Antiquities Act"